

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

AFT MICHIGAN,

Plaintiff,

v.

Civil Action No.: 17-13292

Honorable Linda V. Parker

Magistrate Judge Elizabeth A. Stafford

PROJECT VERITAS, *et al.*,

Defendants.

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**NOTICE TO APPEAR FOR SETTLEMENT CONFERENCE**

**TAKE NOTICE** that the above-entitled matter has been scheduled for settlement proceedings on **THURSDAY, AUGUST 15, 2019 at 10:00 am**,

before Magistrate Judge Elizabeth A. Stafford, at Theodore Levin

Courthouse, 231 W. Lafayette Boulevard, Detroit, MI 48226 in courtroom

**642. The parties must strictly comply with the following four requirements:**

**FIRST**: At least fourteen days before the settlement conference, counsel for each party shall **meet and confer in good faith** and: (a) discuss each remaining cause of action, and the remedies available under each of those causes of action; (b) exchange good-faith and realistic offers to settle; and (c) shall explain to each other why their demand or offer is reasonable. Each party who rejects a demand or offer shall explain to opposing counsel the reasons for the rejection. **By the time of the settlement conference, each party must have made a good faith offer of settlement.**

**SECOND:** Seven days before the settlement conference, each party shall submit by hand, fax or email (**efile\_stafford@mied.uscourts.gov**) a confidential, **ex-parte settlement statement** directly to the chambers of the Honorable Elizabeth A. Stafford, United States Magistrate Judge. DO NOT FILE THESE STATEMENTS WITH THE COURT. The statements shall be limited to ten pages with exhibits that total no more than ten pages, and shall include the following **clearly marked sections**:

- a. A brief description of the background and nature of the case;
- b. The party's perceived strengths;
- c. The party's perceived weaknesses;
- d. A statement identifying each cause of action at issue, and the remedies available under each of those causes of action;
- e. A summary of all settlement discussions that have taken place to date, including the **specific amount** of any offers and counter-offers that have been made;
- f. The **specific amount** of the party's opening offer or demand **to be shared with the opposing party to initiate settlement negotiations**.<sup>1</sup>

**THIRD:** Attorneys **must prepare** their clients for the settlement conference as directed on the **attached Attorney Settlement Conference Preparation**. At the settlement conference, the parties and their attorneys are expected to conduct themselves in a business-like manner and to negotiate in good faith.

**FOURTH:** **Individuals with full settlement authority shall be personally present at settlement conferences.** For the plaintiff(s), "full settlement authority" means the authority to dismiss the complaint with prejudice in exchange for a settlement. For the defendant(s), "full settlement authority" is defined as the full relief requested in the lawsuit and/or the relief requested by the last settlement demand. If an insurance company agent holds the full settlement authority, such agent must be present at the conference. **If a party appears at the conference with authority to settle for only less than full settlement authority, the conference will be rescheduled.**

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<sup>1</sup>Because the opening offers and demands are used to initiate settlement negotiations, they are not treated as confidential.

Dated: December 27, 2018

s/Elizabeth A. Stafford

ELIZABETH A. STAFFORD

United States Magistrate Judge